

## REMARKS

Please cancel Claims 10, 15, 35 and 40 without prejudice. Claims 1-9, 11-14, 16-34 and 36-39 are pending. Claims 1, 3-9, 11-14, 16, 18-34 and 36-39 are amended herein. No new matter is added as a result of the claim amendments.

### Claim Objections

The instant Office Actions states that Claims 16 and 36 are objected to. Claims 16 and 36 are amended to correct the cited informalities.

### 102 Rejections

The instant Office Actions states that Claims 1, 5-7, 16, 20-21, 26 and 30-32 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bushmitch (U.S. Patent No. 5,928,331). The Applicants have reviewed the cited reference and respectfully submit that the present invention as recited in Claims 1, 5-7, 16, 20-21, 26 and 30-32 is not anticipated nor rendered obvious by Bushmitch.

Independent Claim 1 recites that an embodiment in accordance with the present invention is directed to a method that includes “sending said second multiple description bitstream from said second server to said client while said first server continues to send said first multiple description bitstream to said client.” Independent Claim 16 recites that an embodiment in accordance with the present invention is directed to a method that includes “sending said second multiple description bitstream from said second server to said client while said first server continues to send said first multiple description bitstream to said client.” Independent Claim 26 recites that an embodiment in accordance with the present invention is directed to a computer readable medium that implements a

method that includes “sending said second multiple description bitstream from said second server to said client while said first server continues to send said first multiple description bitstream to said client.” Claims 5-7, 20-21 and 30-32 are dependent on either Claim 1, 16 or 26 and recite additional limitations.

According to embodiments of the present claimed invention, a first server conducts a streaming media session with a client. According to the claims, the first server sends a first multiple description bitstream and a second multiple description bitstream to the client. The session is to be handed off from the first server to a second server. During the handoff, according to the claims, the second multiple description bitstream is sent to the client from the second server while the first multiple description bitstream continues to be sent to the client from the first server. Thus, according to the claims, the second multiple description bitstream is sent to the client first by one server, then by another server. As recited by Claims 14, 16 and 39, handoff of the session from the first server to the second server is eventually completed, with the first multiple description bitstream also being sent to the client from the second server. Thus, as recited by the claims, a session is transitioned from a first server to a second server by transferring a part of the session (e.g., the second multiple description bitstream) from the first server to the second server, then another part of the session (e.g., the first multiple description bitstream).

Applicants respectfully submit that Bushmitch does not show or suggest the claim limitations cited above. Specifically, Bushmitch does not show or suggest a multiple description bitstream being handed off from a first server to a second server as part of a handoff of a media session (that includes the multiple description bitstream) from the first server to the

second server. Therefore, Applicants respectfully submit that Bushmitch does not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 16 and 26, and that these claims are considered patentable over Bushmitch. Because Claims 5-7, 20-21 and 30-32 depend from either Claim 1, 16 or 26 and contain additional limitations, these claims are also considered patentable over Bushmitch. Therefore, Applicants respectfully submit that the basis for rejecting Claims 1, 5-7, 16, 20-21, 26 and 30-32 under 35 U.S.C. § 102(b) is traversed.

### 103 Rejections

#### Claims 2, 8-9, 11-14, 17, 22-25, 27, 33-34 and 36-39

The instant Office Actions states that Claims 2, 8-9, 11-14, 17, 22-25, 27, 33-34 and 36-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bushmitch in view of "Transmission of Multiple Description and Layered Video over an EGPRS Wireless Network" by Reibman et al. ("AT&T"). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 2, 8-9, 11-14, 17, 22-25, 27, 33-34 and 36-39 is not anticipated nor rendered obvious by Bushmitch and AT&T, alone or in combination.

Claims 2, 8-9 and 11-14 are dependent on Claim 1 and recite additional limitations. Claims 17 and 22-25 are dependent on Claim 16 and recite additional limitations. Claims 27, 33-34 and 36-39 are dependent on Claim 26 and recite additional limitations. Hence, by demonstrating that Bushmitch and AT&T (alone or in combination) do not show or suggest the limitations of Claims 1, 16 and 26, it is also demonstrated that Bushmitch and AT&T (alone or in combination) do not show or suggest the limitations of Claims 2, 8-9, 11-14, 17, 22-25, 27, 33-34 and 36-39.

As presented above, Applicants respectfully submit that Bushmitch does not show or suggest the embodiments of the present invention recited in independent Claims 1, 16 and 26. Applicants also respectfully submit that AT&T does not overcome the shortcomings of Bushmitch. Specifically, Applicants respectfully submit that AT&T, alone or in combination with Bushmitch, does not show or suggest a multiple description bitstream being handed off from a first server to a second server as part of a handoff of a media session (that includes the multiple description bitstream) from the first server to the second server, as recited in Claims 1, 16 and 26.

Therefore, Applicants respectfully submit that Bushmitch and AT&T, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 16 and 26, and that these claims are considered patentable over Bushmitch and AT&T (alone or in combination). Because Claims 2, 8-9, 11-14, 17, 22-25, 27, 33-34 and 36-39 depend from either Claim 1, 16 or 26 and contain additional limitations, these claims are also considered patentable over Bushmitch and AT&T (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 2, 8-9, 11-14, 17, 22-25, 27, 33-34 and 36-39 under 35 U.S.C. § 103(a) is traversed.

#### Claims 3-4, 18-19 and 28-29

The instant Office Actions states that Claims 3-4, 18-19 and 28-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bushmitch in view of AT&T and further in view of Vasudevan et al. ("Vasudevan;" U.S. Patent No. 6,539,221). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 3-4, 18-19 and 28-29 is not anticipated nor rendered obvious by Bushmitch, AT&T and Vasudevan, alone or in combination.

Claims 3-4 are dependent on Claim 1 and recite additional limitations. Claims 18-19 are dependent on Claim 16 and recite additional limitations. Claims 28-29 are dependent on Claim 26 and recite additional limitations. Hence, by demonstrating that Bushmitch, AT&T and Vasudevan (alone or in combination) do not show or suggest the limitations of Claims 1, 16 and 26, it is also demonstrated that Bushmitch, AT&T and Vasudevan (alone or in combination) do not show or suggest the limitations of Claims 3-4, 18-19 and 28-29.

As presented above, Applicants respectfully submit that Bushmitch and AT&T do not show or suggest the embodiments of the present invention recited in independent Claims 1, 16 and 26. Applicants also respectfully submit that Vasudevan does not overcome the shortcomings of Bushmitch and AT&T. Specifically, Applicants respectfully submit that Vasudevan, alone or in combination with Bushmitch and AT&T, does not show or suggest a multiple description bitstream being handed off from a first server to a second server as part of a handoff of a media session (that includes the multiple description bitstream) from the first server to the second server, as recited in Claims 1, 16 and 26.

Therefore, Applicants respectfully submit that Bushmitch, AT&T and Vasudevan, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 16 and 26, and that these claims are considered patentable over Bushmitch, AT&T and Vasudevan (alone or in combination). Because Claims 3-4, 18-19 and 28-29 depend from either Claim 1, 16 or 26 and contain additional limitations, these claims are also considered patentable over Bushmitch, AT&T and Vasudevan (alone or in combination).

Therefore, Applicants respectfully submit that the basis for rejecting Claims 3-4, 18-19 and 28-29 under 35 U.S.C. § 103(a) is traversed.

### Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the arguments presented above, Applicants respectfully assert that Claims 1-9, 11-14, 16-34 and 36-39 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.


Applicants have reviewed the references cited but not relied upon. Applicants did not find these references to show or suggest the present claimed invention: U.S. Patent No. 6,353,637 and U.S. Patent Application Publication Nos. 2004/0066793; 2004/0179598; and 2002/0116715.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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Date: 2/10/05

  
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